APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,451	04/14/2005	Takashi Kakiuchi	043890-0724	7007

20277 7590 07/17/2009	EXAMINER
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096	WEINSTEIN, LEONARD J

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3746	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/531,451	KAKIUCHI, TAKASHI
	Examiner	Art Unit	
	LEONARD J. WEINSTEIN	3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *29 April 2009*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-8* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-8* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 29, 2009 has been entered.

2. The examiner acknowledges the amendments to claim 2.

Specification

3. The disclosure is objected to because of the following informalities:

a. The following disclosures present language that does not adequately describe the claimed invention:

- "Piston 120 is positioned on a horizontal extension of balance weight 122." Pg. 5 ll. 6.

- "in the structure having balance weight 122 disposed on a horizontal extension of piston 120," Pg. 6 ll. 12-13.

- "in the structure disposing balance weight 122 on a horizontal extension of piston 120," Pg. 7 ll. 11-12.

App. 10/531451, Pg. 5 ll. 12 - Pg. 6 ll. 9, Specification submitted April 14, 2005. These excerpts have been cited for several reasons. The first is that the use of "horizontal extension" is being used in a manner which suggests that each of a piston and a balance weight have a physical

component which neither does. A plain reading of the each of the cited statements would lead one of ordinary skill in the art to determine that one or both a piston and/or a balance weight has a physical component that extends horizontally from a piston (or a balance weight) and supports the balance weight (or piston). Second the term has been used inconsistently. The disclosure of page 5 line 6 states an extension extending from a balance weight on which a piston is positioned, and the disclosures on page 6 lines 12-13 and page 7 lines 11-12, state that an extension extends from a piston on which a balance weight is disposed.

To the best of the examiner's understanding it is believed that the applicant was attempting to state that essentially the horizontal bottom surface the balance weight 122 and the top surface of the piston 120 which slides within and under the upper inward facing surface of bore/cylinder formed within the cylinder block 116, overlap one another in a vertical plane. The examiner suggests amending the specification (and claim 1) to include a statement that includes --- wherein a bottom surface of the balance weight lies within a plane which extends horizontally and intersects a piston at a radial location above a central longitudinal axis of the piston and below the outer circumference of the top half of the piston --- for clarity.

b.   Page 7, line 24 of the original disclosure - reference numeral "133" is used and should be --- 113 ---.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claims 1-8 rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention. The limitations of "the x-coordinate and y-

coordinate of the portion of the outer circumference of the balance weight closest to the

piston are substantially expressed" are not supported by the specification. The

examiner notes that these limitations were added in the amendment in the response of

April 9, 2008 but were not cited as presenting an issue. After further consideration of

the original disclosure, which states "[s]upposing axial center 111a of main shaft body

111 to be origin, coordinates (x, y) of outer circumference of balance weight are

expressed" and "the coordinates (x, y) of the outer circumference of balance," it has

been determined that neither statement presents a basis for claiming the equations

claimed can be used to determine the x and y-coordinates of a point on a balance that

is closest to a piston at a given angle of rotation. App. 10/531451, Pg. 5 ll. 12 - Pg. 6 ll.

9, Specification submitted April 14, 2005. This is because the specification discloses

that the coordinates of a circumference are determined by the equations but does not

explicitly state what part, or point, on the circumference is determined. Further there is

no disclosure of a portion of the circumference that is closest to the piston stated

anywhere in the original disclosure.

6.   Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as based on a

disclosure which is not enabling. The point on a circumference of a balance weight

having the x and y coordinates that can be determined by the equations on page 5,

lines 15-25 of the original disclosure, is critical or essential to the practice of the

invention, but not included in the claim(s) is not enabled by the disclosure. See *In re*

Mayhew, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

        a.   The original disclosure, as well as claim 2 of the original disclosure and

        subsequently claim 1 of the instant application as amended in the response of

        September 9, 2008, recites/ed that the coordinates of a circumference of a

        balance weight were "substantially expressed" by the equations:

$$x = [s \cdot \cos(360° - \theta) + L \cdot \cos\{(\sin^{-1}(s \cdot \sin(360° - \theta)/L)\} + C - \alpha] \cdot \cos(360° - \theta)$$
$$y = [s \cdot \cos(360° - \theta) + L \cdot \cos\{(\sin^{-1}(s \cdot \sin(360° - \theta)/L)\} + C - \alpha] \cdot \sin(360° - \theta)$$

The coordinates of a circumference cannot be expressed by equations which

provide a single point in a cartesian coordinate system. A circumference is a

curve, not a single point. The individual points along the line forming the

circumference of a balance weight will have x and y coordinates which will

depend on the balance weight's angle of rotation. It cannot be claimed that the

equations disclosed can be used to determine the x and y coordinates of at least
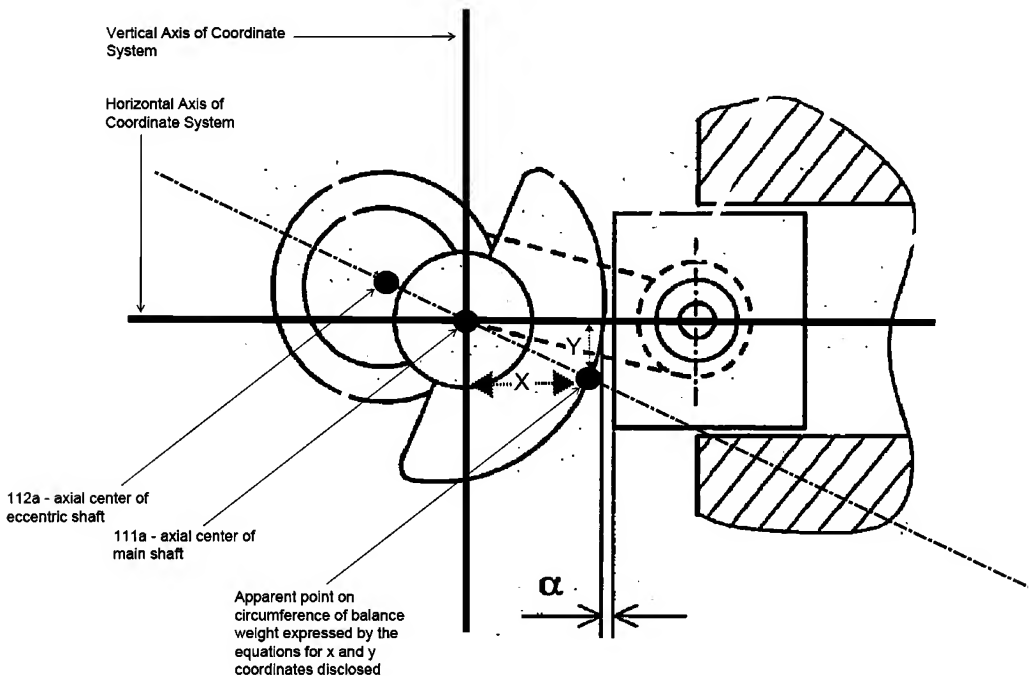
more than one point on the balance weight's circumference given the variables in

the equation. As disclosed

- s **is the distance between axial center of main shaft body and axial center of eccentric shaft body,**

- L **, pitch length of connecting means,**

- C **, skirt length of piston,**

- α **, distance between outer circumference of balance weight and piston**

- θ **, rotation angle of eccentric shaft body**

Each of s, L, C, and α, are characteristics of the physical arrangement

between a balance weight, eccentric shaft, and piston which do not change as a

result of operation. The only variable which changes is the angle of rotation of

the eccentric shaft θ but there is no explanation given as to how this angle

relates to one or multiple points on the circumference of the balance weight, and

there is no variable related to an angular position of any point on the balance

weight's circumference.   The examiner notes that figures 3 and 4 spatially define

all the variables in the equation, but the figures do not show where the point

which is expressed by equations for the x and y coordinates is. One of ordinary

skill in the art would not be able to determine what portion of an outer

circumference was expressed by the equations disclosed and claimed.

b.   The claims as amended include the limitation that "the portion of the

outer circumference of the balance weight closest to the piston" can be

expressed by the equations listed above. This would mean that the equations

determined the x and y coordinate of different points of a circumference

depending on the rotation angle of the eccentric shaft. This would amount to a

"floating point" on the circumference of the balance weight. The examiner does

not see how this is possible since there is no variable in either equation that is

related to an angular position of any point along the circumference of the balance

weight. The examiner has concluded, though not certain, that the point given by

the equations for x and y, is for the point on the circumference which lies along

the same line that passes through both an axial center 111a of the main shaft

body 111 and an axial center 112a of the eccentric shaft body 112. The examiner

has provided a markup version of figure 3 of the instant application to illustrate

this conclusion. The examiner notes however that any explanation of what point

Vertical Axis of Coordinate System

Horizontal Axis of Coordinate System

Y

X

112a - axial center of eccentric shaft

111a - axial center of main shaft

Apparent point on circumference of balance weight expressed by the equations for x and y coordinates disclosed

α

on circumference was determined by the equations disclosed would be new

matter.

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

8.   Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claim 1 includes the limitations "wherein the piston

is positioned on a horizontal extension of the balance weight. As discussed about in

reference to the instant disclosure, this limitation claims a physical component that is

not part of the invention. There is no horizontal extension of balance weight which a

piston is positioned on. As best under stood by the examiner, the applicant was

attempting to claim the spatial relationship between a piston and a balance weight

where the bottom of the balance weight and the outer circumference of a piston above a

central longitudinal axis, overlap in a vertical direction. Therefore the limitations of

"wherein a piston is positioned on a horizontal extension of the balance weight" will be

considered to as --- wherein a bottom surface of the balance weight lies within a plane

which extends horizontally and intersects a piston at a radial location above a central

longitudinal axis of the piston and below the outer circumference of the top half of the

piston --- for the office action on the merits that follows.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1. Determining the scope and contents of the prior art.
    2. Ascertaining the differences between the prior art and the claims at issue.
    3. Resolving the level of ordinary skill in the pertinent art.
    4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 2, 4, 6, 10, and 12 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kessler 4,406,590 in view of Turlay Us 2,838,941. Kessler teaches

all the limitations as claimed for a hermetic compressor including: **[claim 2]** an electric

motor element 46, a compression element 77 driven by the electric motor element 46, a

closed container 27 accommodating the electric motor element 46 and compression

element 77, and a refrigerant contained in the closed container 27, the compression

element 77 comprising, a shaft (fig. 2) having an eccentric shaft body 190 and a main

shaft body 60, a cylinder block 77 having a compression chamber 76, a piston 84

moving reciprocally in the compression chamber 76, connecting means 198 for

connecting the piston 84 and the eccentric shaft body 190, and a balance weight 234

formed on the shaft (fig. 2), wherein the piston 84 is positioned on a horizontal

extension 192 of the balance weight 234, and wherein the balance weight 234 is formed

in such a shape that the distance between the outer circumference of the balance

weight 234 and the piston 84 is substantially constant during a period in the rotation of

the balance weight 234 in which an outer circumference of ht e balance weight 234 and

piston 84 are at there closest proximity, and a subsidiary shaft body 184 formed

coaxially with the main shaft body 60, and a subsidiary bearing , element 188 of

element 64, for supporting the subsidiary shaft body 184, wherein the balance weight

234 is provided at the end of the eccentric shaft body 190 side of the subsidiary shaft

body 184.

Further with respect to claim 2 Kessler teaches a hermetic compressor wherein

the axial center of the main shaft body is taken to be the origin; x-coordinate and y-

coordinate of outer circumference of the balance weight can substantially be expressed

as follows:

$$x = [s \cdot \cos(360° - \theta) + L \cdot \cos\{(\sin^{-1}(s \cdot \sin(360° - \theta) / L)\} + C - \alpha] \cdot \cos(360° - \theta)$$
$$y = [s \cdot \cos(360° - \theta) + L \cdot \cos\{(\sin^{-1}(s \cdot \sin(360° - \theta) / L)\} + C - \alpha] \cdot \sin(360° - \theta)$$

- **Where s is the distance between axial center of main shaft
  body and axial center of eccentric shaft body,**

- **L, pitch length of connecting means,**

- **C, skirt length of piston,**

- **α, distance between outer circumference of balance weight
  and piston**

- **θ, rotation angle of eccentric shaft body**

Kessler teaches all the limitations including a hermetic compressor having elements

arranged in a configuration as discussed in claim 1. Since Kessler teaches the same

configuration and the elements as discussed have the same spatial relationship as the
instant application, a value for each the variables listed in the x and y coordinate
expressions can be determined. Therefore the x and y coordinates of the outer
circumference of the balance weight of Kessler (234) can be expressed by the
equations as discussed.

Further with respect to claims 4 and 10, the recitation of a balance weight formed
by either sinter alloy or press processing of iron plate is considered to be a product-by-
process and is not patentable over the balance weight (234) of Kessler. The
determination of patentability in a product-by-process claim is based on the product
itself, even though the claim may be limited and defined by the process. That is, the
product in such a claim is unpatentable if it is the same as or obvious from the product
of the prior art, even if the prior product was made by a different process. In re
Thorpe, 777 F.2d 695, 697, 227 USPQ 964, 966 (Fed. Cir. 1985). A product-by-process
limitation adds no patentable distinction to the claim, and is unpatentable if the claimed
product is the same as a product of the prior art.

The compressor of Kessler teaches a balance weight and piston wherein the outer
circumference of the balance weight and the bottom of a piston are separated by a
constant distance for a least a portion of time when a piston transitions from a suction
stroke to a compressor stroke (or when the weight and the piston are closest to one
another). There is no explicit teaching provided by Kessler stating that this distance is
held constant for the entire period of time in which the balance weight and the piston are
closest to one another. Turlay teaches a compressor (of an internal combustion engine)

with a piston 23 reciprocating in a cylinder 22 by a connection to a crankpin 27 of

crankshaft 12 with a balance weight 53. Further Turaly teaches that "the

counterweights... will clear by a constant amount the lower ends of the pistons 23 when

the pistons move below the lower extremities of the cylinder 22." Turlay teaches a

balance weight 53 that is formed in order to obtain the balance weight with a greater

inertial force (Turlay – col. 2 ll. 65 – col. 3 ll. 8). Turlay shows that it was known at the

time of the invention that a configuration of a balance weight and piston as claimed

provides "the greatest possible radius of gyration for the center of mass of

counterweight" (Turlay – col. 2 ll. 18-26). This also allows for the center of mass of the

counterweight to be distance further from the axis of rotation of a crankshaft. This

would increase the moment (N·m) of a balance weight about the axis of rotation, and

provide for more balanced rotation of the crankshaft especially during a compressor

stroke, while also decreasing the amount of counter weighting required.   Therefore it

would have been obvious to one of ordinary skill in the art to provide a compressor as

taught by Kessler with a balance weight on a crankshaft that remained at a constant

distance from a piston for the entire time a piston and balance weight were closest to

each in order to reduce the degree of counter weighting required for optimal operation

(Turlay – col. 2 ll. 18-26).

12.   Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kessler US 4,406,590 in view of Turlay US 2,838,941. A combination of Kessler and

Turlay teaches the general conditions of the claimed invention except for the express

disclosure of a distance between an outer circumference of a balance weight and a

piston is 2 mm or less. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the distance between outer circumference of a balance weight and a piston 2 mm or less, since the claimed values are merely an optimum or workable range. It has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

13.   Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kessler US 4,406,590 in view of Turlay US 2,838,941, as applied to claim 1 above, further in view of Nozaki et al. US2004/0057859. A combination of Kessler and Turlay teaches all the limitations as discussed but fails to teach the limitation that is taught by Nozaki for a hermetic compressor (fig. 1) wherein the refrigerant is R600a (Nozaki - ¶ 0030). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a natural refrigerant such as isobutene (R600a) as the refrigerant in a hermetic compressor in order to reduce the global warming impacts of the operation of the hermetic compressor (Nozaki - ¶ 0002). It is further noted by the examiner that a recitation with respect to the material intended to be worked upon by a claimed apparatus does not impose any structural limitations upon the claimed apparatus which differentiates it from the prior art apparatus satisfying the structural limitations of the claims, as is the case here.

14.   Claims 7-8 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kessler US 4,406,590 in view of Turlay US 2,838,941, as applied to claim 1 above, further in view of Hayashi et al. 5,506,486. A combination of Turlay and Kessler

teaches all the limitations as discussed but fails to teach the following limitations that

are taught by Hayashi for a hermetic compressor including: an electric motor element 1

driven by an inverter 40 at plural operating frequencies, as shown in figure 13 wherein

the solid line shows a relationship between a range of operating frequencies and

corresponding operating efficiency of the compressor, including at least an operating

frequency of less than the power source frequency (col. 3 ll. 31-35) and at least an

operating frequency of less than 30 Hz (fig. 13). It would have been obvious to one

having ordinary skill in the art at the time the invention was made to provide an inverter

to drive a motor of a compressor and operate a compressor at a frequency less than a

power frequency in order to reduce electric power consumption (Hayashi – col. 59-62).

Response to Arguments

15.   Applicant's arguments filed April 29, 2009 have been fully considered but they

are not persuasive.

   a.   The applicant argues that Turlay fails to teach a relationship between the

   parameters s, L, C, α, and θ as disclosed in the claimed equations of claim 2.

   The applicant argues that Kessler does not teach the same configuration and

   elements of claim 2. The applicant further argues that the examiner has not

   recognized that by using the equations, the parameters s, L, C, α, and θ may

   be tailored to produce a very small distance between the portion of the outer

   circumference of the balance weight closest to the piston and the piston.

       i.   **Response:** The examiner notes that the instant disclosure does not

       provide a relationship between the equations and how a balance weight is

produced. It is unclear how the parameters can be tailored to produce a

very small distance between the balance weight and the piston because

the distance α is a variable that is defined or established prior to

operation. The instant disclosure does not adequately link either the

operation or the construction of the balance weight to the equations. The

x and y coordinates which are determined by the equations are not related

to a fixed point on the balance weight per the original disclosure. None of

the variables are associated with an angular position of a point along the

circumference of the balance weight. There is no disclosure linking where

the x and y coordinates are in relationship to the variables s, L, C, α,

and θ. Even if the equations could yield the x and y coordinate of a

floating point on the outer circumference of a balance weight which was

the closer to piston then any other portion of the balance weight, there

would be no way to tell where along the outer circumference of the

balance weight that point was located. The examiner asserts that the

significance of the equations cannot be determined because they produce

values that one of ordinary skill in the art could not relate to a physical

configuration of a balance weight.

b.   The applicant argues that Turlay teaches the objective of decreasing the

weight of the a counterweight and therefore cannot teach the same configuration.

ii.   **Response:** The examiner notes that as claimed, the limitations of

claim 2 as amended, recite "the balance weight is formed . . . in order to

obtain the balance weight with a greater inertial force." There is no mention of maximizing the weight of the of the balance weight. The examiner is aware that increasing the weight of balance weight will increase an inertial force of the balance weight but so will moving the center of mass of a rotating object further from an axis of rotation. As disclosed by the instant application "[t]he magnitude of inertial force obtained by rotation of balance weight 122 is proportional to the product of the distance from the axial center 112a of eccentric shaft body 112 to the center of gravity of balance weight 122 and the mass of balance weight 122." App. 10/531451, Pg. 6 ll. 18-21, Specification submitted April 14, 2005. Turlay is interested in optimizing the inertial force generated by a balance weight. Turlay teaches:

> it will be apparent that the inertia effect of the rotation of the metal outside of the circular arc 61 is much greater that the inertia effect resulting from the rotation of any other part of the counterweight 53 of similar weight. In order to gain this advantage from the metal in the counter weights 53 which appear as being outside fothe circular arcs indicated at 61, it is proposed to construc the perifpher edge57 of the counter weights 53 on a line which includes the locus of all points equal in distance from the lower edges of the pistons 23 when the pistons move below the lower extremities of the cylinders 22.

Turlay US 2,828,941, pg. 2 ll. 69-pg. 3 ll. 8.   Turlay teaches moving a

center of mass further from an axis of rotation to provide the greatest

possible radius of gyration. This will increase the inertial force of the

balance weight and therefore reads on the limitations as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LEONARD J. WEINSTEIN whose telephone number is

(571)272-9961. The examiner can normally be reached on Monday - Thursday 7:00 -

5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/